

## **SENATE TESTIMONY**

Delivered by  
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United States Senate Committee on Commerce, Science, and Transportation  
September 13, 2000

CHAIRMAN MCCAIN, SENATOR HOLLINGS, AND MEMBERS OF THIS COMMITTEE: I AM HERE TO TESTIFY AS THE FATHER OF FOUR CHILDREN, AS A CONCERNED CITIZEN, AND AS THE CHIEF EXECUTIVE OFFICER OF A LEADING ENTERTAINMENT COMPANY.

I WELCOME THE OPPORTUNITY TO DISCUSS THE OBLIGATION THAT WE ALL SHARE TO STRENGTHEN THE SOCIAL FABRIC OF OUR COUNTRY. I WANT TO ADDRESS THIS ISSUE – AND I TRUST THAT YOU DO, TOO- IN A SPIRIT OF MUTUAL RESPECT AND MUTUAL RESPONSIBILITY.

ALL OF US WHO ARE RAISING CHILDREN UNDERSTAND WHAT SENATOR MCCAIN, SENATOR LIEBERMAN AND OTHERS INSIDE AND OUTSIDE THIS CHAMBER HAVE SAID: CERTAIN OF THE MESSAGES THAT PERVADE OUR SOCIETY MAKE IT DIFFICULT TO TEACH OUR CHILDREN THE DIFFERENCE BETWEEN RIGHT AND WRONG. AND, YES, POPULAR CULTURE PLAYS A ROLE IN CREATING OUR MORAL CLIMATE.

BUT THERE IS SIGNIFICANT ROOM FOR DOUBT THAT ENTERTAINMENT IS A CAUSE OF VIOLENCE IN AMERICA.

POPULAR CULTURE MAY BE MADE HERE. BUT IT IS CONSUMED EVERYWHERE. AND PRESUMABLY OUR MOVIES, OUR MUSIC, AND OUR VIDEOGAMES HAVE THE SAME IMPACT EVERYWHERE.

YET OUR COUNTRY IS MORE VIOLENT THAN ANY OTHER ADVANCED SOCIETY. OUR HOMICIDE RATE IS 5 TIMES GREATER THAN THE UNITED KINGDOM'S, 6 TIMES GREATER THAN GERMANY'S AND 11 TIMES GREATER THAN JAPAN'S.

WHEN IT COMES TO OUR CHILDREN, THE NUMBERS ARE EVEN MORE SHOCKING. IN 1995, FIREARMS KILLED A TOTAL OF 185 CHILDREN IN THE UNITED KINGDOM, GERMANY, FRANCE, AND JAPAN COMBINED. BUT THAT SAME YEAR, 5,285 CHILDREN WERE KILLED BY GUNS IN AMERICA.

IN THIS REGARD, WHAT MAKES AMERICA UNIQUE IS NOT ITS POPULAR CULTURE BUT OUR RELATIVE EASE OF ACCESS TO GUNS. TODAY, OVER 40% OF HOUSEHOLDS IN AMERICA HAVE FIREARMS – THAT'S FAR MORE THAN ALMOST ANY OTHER ADVANCED NATION – AND OUR REGULATIONS WITH REGARD TO THE LICENSING, REGISTRATION, AND AUTHORIZATION OF THEIR USE ARE AMONG THE MOST RELAXED.

STILL GUNS AREN'T THE ONLY EXPLANATION FOR CRIME AND VIOLENCE AMONG YOUNG PEOPLE. THERE ARE, AMONG OTHER FACTORS, THE SENSE OF HOPELESSNESS AMONG SOME OF THE VERY POOR; THE SENSE OF MEANINGLESSNESS AMONG SOME OF THE VERY WEALTHY; AND THE LONG HOURS THAT MANY PARENTS MUST WORK JUST TO PROVIDE FOR THEIR FAMILIES.

AND YES, WE IN THE MEDIA DO SHARE IN SHAPING OUR NATION'S CULTURE. WE MAY NOT CHANGE WHAT PEOPLE THINK, BUT WE CREATE A VERNACULAR FOR THOSE THOUGHTS. WE AS AN INDUSTRY MUST RECOGNIZE OUR ROLE AND PLAY IT RESPONSIBLY.

NONE OF THIS MEANS, HOWEVER, THAT THE GOVERNMENT SHOULD SERVE AS THE CENSOR OF OUR ART AND THE REGULATOR OF OUR SPEECH.

YES, VIOLENCE IS A TERRIBLE PROBLEM. BUT GOVERNMENT INTERFERENCE WITH FREE EXPRESSION IS A "CURE" THAT IS WORSE THAN THE DISEASE.

AS LAWMAKERS, YOU UNDERSTAND BETTER THAN ANYONE THAT THE FIRST AMENDMENT PROTECTS SPEECH OF ALL KINDS.

YET AGREEING THAT GOVERNMENT CENSORSHIP IS WRONG SHOULD NOT BE THE END OF OUR DISCUSSION. IT SHOULD BE THE BEGINNING.

IT IS UP TO EACH AND EVERY ONE OF US TO DO THE THINGS WE SHOULD DO – NOT BECAUSE THE GOVERNMENT COERCES US BUT BECAUSE OUR CONSCIENCES COMMAND US.

IN AMERICA TODAY, OUR CONSCIENCES COMMAND US TO TAKE ACTION AGAINST VIOLENCE.

I HAVE ACKNOWLEDGED – AND ADDRESSED -- THIS RESPONSIBILITY IN A TALK EARLIER THIS YEAR AT THE NATIONAL ACADEMY OF RECORDING ARTS AND SCIENCES' ENTERTAINMENT LAW INITIATIVE AS WELL AS WITH LEADERS IN OUR INDUSTRY AND EXECUTIVES AT MY COMPANY.

I WOULD LIKE TO SHARE WITH THIS COMMITTEE MY SPECIFIC VIEWS.

THE RECORD BUSINESS- AND WE AT BMG – DO NOT CONDONE VIOLENCE. BUT VIOLENCE IS PART OF THE WORLD THAT CREATES, BUYS, AND IS INFLUENCED BY OUR MUSIC.

MANY OF OUR ARTISTS LEGITIMATELY EXPRESS AND COMMENT ON THE PROBLEMS OF OUR SOCIETY. WE NEED TO ENSURE THAT THEIR VOICES ARE HEARD. I BELIEVE IT IS FAR

BETTER TO PROVIDE AN OUTLET FOR EXPRESSION THAN TO CLOSE ONE, FAR BETTER TO PROMOTE AGITATION IN ART THAN VIOLENCE IN LIFE.

WHILE WE THEREFORE SOMETIMES EXPLORE CHALLENGING THEMES, WE MUST NOT EXPLOIT THEM. WHAT MATTERS MOST IS NOT EXORCISING TABOO TOPICS BUT EXERCISING PERSONAL, ARTISTIC AND MORAL JUDGMENT. WE CANNOT SET HARD AND FAST RULES FOR WHAT IS CREATIVE VERSUS WHAT IS EXPLOITATIVE; RATHER, WE TRY TO DISTINGUISH ONE FROM THE OTHER, ARTIST-BY-ARTIST, LYRIC-BY-LYRIC, AND CASE-BY-CASE.

EVERY TIME WE RELEASE A RECORD, WE MAKE A CHOICE. AS THE CEO OF BMG, I AM ULTIMATELY RESPONSIBLE FOR WHAT MY COMPANY PRODUCES. IT IS AS SIMPLE AS THAT.

I STAND BY OUR ART, JUST AS I STAND BY OUR SENSE OF TASTE AND RESTRAINT. WE ARE NOT ALWAYS SUCCESSFUL IN THIS REGARD. WE'VE MADE MISTAKES. BUT WITH THE FREEDOM TO CHOOSE COMES THE ACCOUNTABILITY FOR OUR CHOICES – BOTH THE GOOD ONES AND THE BAD ONES.

AS LONG AS ARTISTIC EXCELLENCE IS OUR MOST ENDURING VALUE, WE WON'T GO FAR WRONG.

AND MAKE NO MISTAKE ABOUT IT: THE ULTIMATE RESPONSIBILITY FOR DECIDING WHAT MUSIC OUR YOUNG PEOPLE LISTEN TO RESTS WITH PARENTS IN THEIR HOMES, NOT PUBLIC OFFICIALS.

FOR MANY YEARS, BMG AND THE REST OF OUR INDUSTRY HAVE VOLUNTARILY LABELED RECORDS WITH ADVISORIES PROVIDING PARENTS WITH THE INFORMATION THEY NEED TO MAKE PERSONAL AND MORAL JUDGMENTS FOR THEIR FAMILIES.

THIS SYSTEM IS INTENDED TO HELP PARENTS DECIDE WHAT MUSIC IS APPROPRIATE FOR THEIR CHILDREN BASED ON THEIR OWN VALUES.

YET, WE MUST ASK OURSELVES: ARE WE DOING ENOUGH? DOES THE INFORMATION WE OFFER HELP PARENTS MAKE APPROPRIATE DECISIONS? CAN WE -- AND SHOULD WE -- BE DOING MORE?

ON THESE ISSUES WE MIGHT ALL BENEFIT FROM A NATIONAL DISCUSSION- AN EXCHANGE OF IDEAS WITH PARENTS AND EDUCATORS, RELIGIOUS LEADERS AND ARTISTS, BUSINESS PEOPLE AND LAW ENFORCEMENT OFFICIALS.

WE MIGHT ALSO BENEFIT FROM A PUBLIC SERVICE ADVERTISING CAMPAIGN, LED BY ARTISTS OF ALL TYPES AND

FROM ALL BACKGROUNDS, SENDING A CLEAR ANTI-VIOLENCE MESSAGE TO OUR CHILDREN.

IN THE END, THE SOLUTIONS WILL BE FOUND IN OUR HOMES AND OUR STUDIOS – NOT IN A ONE-SIZE-FITS-ALL APPROACH, MANDATED BY OUR GOVERNMENT.

THE ANSWER LIES IN RETURNING TO FIRST PRINCIPLES, NOT REVISING THE FIRST AMENDMENT.

IF PARENTS, ARTISTS, AND BUSINESS PEOPLE TAKE RESPONSIBILITY TOGETHER, WE WILL LIVE OUT THE LYRICS OF A SONG FROM MY OWN YOUTH: “TEACH YOUR CHILDREN WELL.” AND WE WILL HAVE KEPT FAITH WITH OUR NATION’S HERITAGE OF FREEDOM TEMPERED BY RESPONSIBILITY.

THANK YOU VERY MUCH.